App. F. IX-4

Previous References
Law/IV-30-1-4,6,8-14
& 16-22.

1932
(Law)

File No. 55-32
Serial Nos. 1—11

Later References
Law 113-34 1--2

PRESERVED

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Eleven

Part B for Jeuc 34.

SUBJECT.

Sx 1121 of 30-31 (A.K. Ranga Iyer vs Bhaskara Rao
& Co. Secy) on the file of the Addl Sub: Judge,
Mysore.

1792 Mis 167

App. F. III—2

General and Revenue Secretariat | File No. | of 193

Serial No.

Letr dated 1st Oct 1931 from the PPr. Mysore to the Ch. Secy

Add! Sub. Court, Mysore

Ex? 1121 of 30-31

1) A.K. Rangaiya vs Bhaskanrao Telsa

further statement filed by second judgment debtor. Posted to decree holders reply 7.10.31

PPr. was instructed in this office letter dated 3.9.31. to contest the claim on the grounds suggested by the Govt. Ad. in their order of 25th Aug 1931. A statement is accordingly filed by the PPr.

Hug 'T'

Subs for perusal

TSD 7/10.

2) Further report may be awaited -

MNP 7-10

Reply statement filed

Posted for orders to 28-10-31

Sus file 4

MNP 16/10

Pr. report for 28.10.31

For want of time adjourned to 11.11.31 for Argts

Subs

For perusal.

TSD 4/4

MNP 4/4

27.1.32

10.2.32

25.5.32

Sur B

NOTE—Continue on Sheet

WD 02553—50,000—GPB—8-7 30

Exs. III/30-31 . in re. file of the Addl Subjudge. Mysore.
(T.K. Rangaiya vs Bhaskara Rao & ors.)

File No. of 193 | General and Revenue Secretariat.

From,

The PPr Mysore

No. 68(a) dated 27.7.32 intimating that orders have been passed in the above case holding that Govt are liable for the amount claimed by the decree holder, and that the decree holder will also get his cost and stating that a sum of Rs 175 has to be paid before 17.8.32.

Reference pages 29-32 of the note in Law file 100-30.

This is an Execution Case under cl (3) order XXI Rule 48 C.P.C. holding Govt as liable for the non-Compliance of warrant of attachment of the Salary of one Bhaskar Rao, clerk in A.S.P's office French Rocks.

In the light of the opinion given by the Govt. Ad. the liability of the Govt was Contested.

(2) Now it is reported that the Court has passed orders in favour of the decree holder. As a result of which Govt is made liable to pay a sum of Rs 175/ including the Cost of the decree holder.

Copy of the order may perhaps be obtained immediately from the PPr to Consider the question of appeal. Dft is pressing for Cert:

PSD
30/7

3

6.42/32
P.032

III—2

OFFICE OF THE PUBLIC PROSECUTOR

.....Mysore DIVISION,

~~DISTRICT OFFICE BUILDINGS~~

Dated 27. 7. 1932.

NO. 68 (a)

Enc.

FROM

The Public Prosecutor,

.....Mysore Division,

.....Mysore.....

GENERAL SECRETARY
29 JULY 1932
No. Law

To

The General Secretary to the Government
of His Highness the Maharaja of Mysore
Law section, Bangalore.

SIR,

Subject :— Ex rrzr of 30.31
A K Ranga Iyer & 1 Mr. Srinivasiengar
2 Bhanne Rao
on the file of the Additional Sub. Judge, Mysore Chief Secretary

I have the honor to state that the above case has been ~~adjourned~~
~~to~~ disposed 2 and orders passed as
~~the~~ noted overleaf.

I have the honor to be,
Sir,
Your most obedient servant,
C Ranga Iyer

WD 01551—GPB—900—5-5-32

Public Prosecutor,
Mysore Division

5) Kind reference is invited to pages 74 to 80 in Law file 100 of 30 placed below (Flag T) for a statement of facts of the case. Considerable doubt was then alone felt as to the validity of the pleas raised in this case on behalf of Govt. Counsel was also consulted & he agreed that it is desirable to get an adjudication by the Court

6) Now that the Court has decided against Govt & ordered payment of the amount which

WD 70—GBPM—60,000—15-8-31

I hold that the Govt. is liable for the amount claimed by the accused. No objection has been taken regarding the amount for which the Govt is liable. The D M will also fix his costs."

Copies of order and memo of costs will be submitted in due course. The amount to be paid will come to Rs 175/. It must be paid before 17.8.32.

VR

4p.

877/32

File No. of 193 General and Revenue Secretariat

according to the P.Rr., Comes to about Rs. 175/-, the question is whether this decision is to be accepted or whether it is to be taken up in appeal. It is necessary for this purpose to get a full copy of the order passed. This will be obtained from the P.Rr, reference who will also be asked to move the court to grant sufficient time for payment, so that the question of appeal may be decided in the meanwhile.

Submitted for perusal.

2nd member)

BNP
3077

1.8.32

Issue Today
BNP
1/8

Issued no. C. 755 dated 1.8.32

OFFICE OF THE HON'BLE MEMBER OF COUNCIL
30 JUL 1932
No. 953

TYPING SECTION
1 AUG. 1932
GENL. & REV. SECT.

Dear,

The P.Rr. Mysore.

No. 109 dated 7th Aug. 1932 informing that the Court will be moved on the 17th inst. for granting extension of time for satisfying the decree and enclosing a copy of the memo filed by the D. Holder specifying the probable amount of the decree.

2) Copies of judgment and decree may be awaited.

Sir, for perusal. In the meanwhile the G.P. has to be informed of the result of the case + enquiries made as to whether the amount can be recovered from Shankarrao.

ISD 10/8.

Serial No.

TYPING SECTION 11 AUG. 193. GENL. & REV. SECTT.

Sec A
15D 16/8/32

9) Dft to the D.G.P. Speak up for appt

Issue
MP
11/8

Issued no. C. 10005 d 13.8.32

From,

The D. G. P.

no. C2 .77/32 dated 7th Sept 1932 stating that it has been reported by the Supt of Police, Mys. Dist. that no amount is due to Blake Rao from the office of the Supt of Police French Rock, Coorg and that he had deposited a Sum of Rs 300/- as Cash Security in the Case against him before the City Magte Mysore, and that this amount will be available after the disposal of the Case.

Subn for perusal.

10) Copy of the order in the Exn Case will be awaited.

15D
14/9

Send copy of the D G P's letter to the PP Mysore & enquire if the amount of Rs 300/- mentioned therein can be made available to pay the decree — Also request for sending the copy soon —

11)

MP
14.9

12) Dft Speak up accordingly

15D
15/9

Issue
MP
19.9

Issued no. C. 1705 d 21.9.32

TYPING SECTION 19 SEP. 1932 GENL. & REV. SECTT.

NOTE—Contn. Sheet.

WD 70—GBPM—60,000—13-8-31.

1934

File No. of 193 . | General and Revenue Secretariat

From,

The PPr. Mysore.

No. 222 dated 22.9.32 forwarding a Copy of the order and stating that the amount of Rs 3751 forms part of the Security tendered by Bhaskar Rao who is undergoing trial for criminal breach of trust in respect of certain funds belonging to the City Police Co-operative Society, and that Mr. A.K. Ranga Iyer has obtained an attachment on the same sum of money subject to the claims of Govt against Bhaskara.

Reference para 5, 6 & 7 Supra.

13) Said reference is invited to para 283 of the order. The Court has observed that Govt ought to make rules for due execution of the attachment warrant and that the absence of any provision to the effect that the officer on whom the attachment warrant is served should send the warrant on transfer of the official to the succeeding disbursing officer, will not by itself absolve the Govt from the liability which arises under Order 21 rule 46(3). See 21 grant of appeal seems to be made while Considering in this case the question of appeal in this Case.

Copy of the order is sub^d for perusal & orders.

ISD 27/9

14) Forwarded with compliments to the Government Advocate for favour of advice as to whether the High Court may be moved to revise the orders

1834

[App. F. III—2

General and Revenue Secretariat | File No. | of 193 .

Serial No.

Order

G.O.No. P 173931 dated 27/9/32

Passed by the Addl Sub Judge of Mysore on 27 July 1932.

Boyd Rao
for Govt Secy to Govt
27.9.32

GOVT. ADVOCATE'S OFFICE
27 SEPT 1932
BANGALORE

Trans 843/32-33
dt 27.9.32

No. Dy 38/32-33
dt. 30.9.32

Returned with compliments.

15) Such cases are becoming common and there seem to be no decided cases on the point. As this is a fairly arguable case, a Revision Petition may be filed so that we may have a definite ruling on the point by the High Court.

M Narayana Rao
Government Advocate.
30.9.32

N.

OFFICE OF THE
HIGH COURT, BENCH OF JUDICATURE
4 OCT. 1932
No. 27/7

Submitted for orders.

16) 2nd member)
action may be taken
as suggested by G.A.

BNR
30/9

Ag
21/10/32

GENERAL SECRETARY
30 SEP. 1932
No.

17) Off G.O. Today
BNR
21/10

18) Off G.O. Subs for appl
Issued Today
BNR
21/10.

NOTE—Contn. Sheet.

WD 70—GBPM—60,000—13-8-31

2395

Exp. 1121/30-31 (A.K. Ranganna & Bhaskara Rao & Govt)

File No. of 193 . | General and Revenue Secretariat

To

The Govt. Advocate

Pfr. Mysore

Dist. Magte Mys.

I.G.P.

Comptroller to Govt

G.o. no. P. 2290-94 Law 5332-2 dated 21st Oct 1932 directing the Govt. Ad. to file a rev. Petn in the H.Ct. against the order of the Sub-judge. Mysore.

B
150 24/10/32

From,

The Pfr. Mysore

no. 275 dated 25.10.32 stating that the Court has peremptorily ordered that the decreed amount should be paid before the 9th proximo, and requesting to make arrangements either to deposit the amount or to obtain an order for staying Execution from the H.Ct. — P.W.D 1

The Govt. Advocate

D.o. no. 318 dated 27.10.32 forwarding for Signature and return a Vakalat to be filed in the rev. Petn — P.W.D 4

Vakalat may be subd to the Ch. Secy for favour of Signature. Re: P.W.D 1

The Govt. Ad. may be requested to obtain the necessary stay order, in time

1

ISD 29/10

Serial No.

20) For favour of signature to the Vakalat (Flag T)

Chiefsey)

DDP 29-10

NLL 29/10/32

21) Dft returning the Vakalat. Also send copy of PPr's letter of 25th and enquire whether the Stay order can be obtained in this case.

DDP 31/10

31 OCT. 1932 GENL & REV SECTT.

22) Dft put up accordingly

ISD 31/10.

Issue today

DDP 31/10

Issued no. P. 2465 of 31.10.32

Sun A

ISD 1/11/32

From,

The Govt. Advocate

no. 335 dated 4th Nov 1932 stating that as it is not usual to grant a stay order in Rev. Pet the amount may be deposited in Court and the Ppr be requested to represent to the Court that the decree holder may be directed to furnish security if he wants to pending disposal of the Rev. Pet.

'y'

23) The Ppr. in his letter dated 25.10.32 states that the Court has presumptively indeed that the decree

NOTE—Contn. Sheet.

10 2543 v

2395

File No. of 193 . General and Revenue Secretariat

Amount should be paid before 9th inst. Since however there is very little time to deposit the amount as advised by the Govt. Advocate, P.P.s may perhaps be requested to intimate the Court that the amount will be deposited before the next date of Hg; and also be instructed to move the Court to direct the decree holder to furnish security if he wants to take the disposal of the Amount pending Revision Petn as suggested by the Govt. Advocate for orders with a ltr to the P.P.s Hgs

A

Date of Hg 9.11.32

8/11 (JK) A may be done.

The money has to be deposited in Court. The P.P.s may move the Court by an application to require the D.H. to furnish security before he draws the amount, though strictly there is no provision in the Law under which the Court can call for security in such cases.

(Govt Advocate)

8/11

9th 8/11

8/11

To,

The P.P. Mysore

No. P. 2652 dated 8th Nov 1932 instructing to obtain an adjournment on 9th inst for the deposit of the decreal amount.

TYPING SECTION
8. NOV. 1932
GENL. & REV SEC

General and Revenue Secretariat — Law File No. 55 of 1932 — [App. F. III—2

Serial No.

GENERAL SECRETARY 10 NOV. 1932 No.

2931

TYPING SECTION 11 NOV. 1932 GENL. & REV. SECTT.

25) Subd with a dft G.O. requesting the Comptroller to place the sum of Rs 174-4-10 at the disposal of the Pbr. Mgs. treating it as an advance pending receipt from the disbursing officers Concerned.

ISD 8/11.

Secy) 8/11/32

26) Finl Member 10/11

27) 10/11

10.11

10/11/32

Financial Secretary has not been consulted.

H.Com.789 12/11/32 28) Draft and fair submitted.

BRS 12/11.

For perusal before issue

Finl Secy) 12/11

14/11

29) Issue for 14/11

To,

1) The Pbr. Mgs. 4) Comptroller to favr. his fin. sectt.
2) " D.S. of Police. 5) Dist. Magte Mgs.
3) " the Govt. Ad.

G.O. No. P. 2713-16 Law 55-Gen-8 dated 12.11.32 requesting the Comptroller to place a sum of Rs 174-4-10 at the disposal of the Pbr. Mgs. treating it as an advance pending receipt from the disbursing officers Concerned.

NOTE—Contn. Sheet.

WD 70—GBPM—60,000—13-8-31.

12 Ex: 1121/30-31 – Addl: Sub. Court, Mysore (A.K. Rangaiya vs Bhaskara Rao) 358

Law File No. 55 of 193 2 — General and Revenue Secretariat

From:

The D. J. P.

No. A.C. 588/32 dated 30.12.32 stating that under the circumstances explained there does not seem to be any failure on the part of the disbursing officer to promptly keep the Court informed of the clerk's transfer and that the Court after receipt of the original warrant ought to have addressed the president, Mysore City Municipality for recovery of the decree amount.

Kind reference is invited to para 485 of the C.O. dated 12.11.32. The disposal of the revision petition filed in the H.Ct. may be awaited.

ISD
6/1/33.

7/1/33

Sec B
9/1/33

From,

The D. J. P.

No. AC 588/32 dated 2nd March 1933

requesting to obtain orders in the matter of apportionment of responsibility of the disbursing officers concerned.

The question of apportionment of responsibility of the disbursing officers concerned can only after the disposal of the revision petition filed in the H.Ct. of Mys. Govt. Advocate may be enquired whether the C.R.P. is heard

General and Revenue Secretariat | Law File No. 55 of 1932

Serial No.

Meanwhile the D.S.P. may be informed that the disposal of the R.P. is being awaited

ISD 24/3

Draft reply accordingly -

MNP 24/3

2 dgts pmt up

ISD 25/3

Issue

MNP 25/3

RECEIVED
MAR. 1933
SECT

To,

The D.S.P.

No. P. 5199 d 29.3.33 informing that the question of apportionment of responsibility will arise only after the disposal of the C.R.P. pending in the H.Ct.

The Govt. Ad.

No. P. 5200 d 29.3.33 enquiring whether the C.R.P. has been disposed of.

Sec A 30/3/33

NOTE—Contn. Sheet.

14 Ex: 114 | 30-31 — Addl Sub Ct. TG Sole
(Ar. Ranga Rao vs Govt) D Blakeley.

Law File No. 55 of 1932. | General and Revenue Secretariat

From.

The Pbr. Mys.

No. 302 dated 25.8.33 stating that the J.D.r in the above Case has been Convicted to suffer R.I. for 6 months and to pay a fine of Rs 300 and the decree holder has filed an application to Court for payment of the money deposited by Govt, and requesting to instruct the Govt. Ad. to obtain a Stay order prohibiting payment of the amount to the decree holder till the disposal of the R.P.

No. 303 dated 25.8.33 intimating that the Case stands posted to 6.9.33 to await notice to J.D.r

Ref.e paras 2nd & 3rd supra.

Govt. Ad. was already Consulted in the matter of obtaining a stay order. He suggested in his letter dated 4th inst 32 that it is not usual to grant a stay order in Revn.l.r and that the amount may be deposited in Court and the Pbr instructed to represent to the Court to direct the decree holder to furnish security if he wants to take the amount pending disposal of the R.P. Instructions were accordingly issued to the Pbr in this office letter dated 8.11.32, and the amount was

Dear Mr. Jayakar,

This application has to be filed in Court today in the Revn. Petn. relating to it was admitted to-day. Can you therefore kindly get it signed by the Chief Secretary immediately & return it to me soon so that I may file it in Court today & obtain orders.

Yours sincerely,

M. R. Jayakar Esq.,
Bar-at-Law.

Application returned to Mr. Govt Advocate duly signed.
DNP
31/8/33

572 15

[App. F. III—2

General and Revenue Secretariat | Law File No. 55 of 1932.

Serial No.

Date of Hg 6.9.33

subsequently deposed in Court. If approved the Pltr's attention will be invited to this office Communication dated 8.11.32, and enquiring whether case may be represented to the Court to insist the decree holder to furnish security for costs

ISD 29/8.

The Pltr says in his letter (POD) that there is no provision of law under which the decree holder can be called upon to furnish security in such cases. He therefore suggests a stay order being obtained from the High Court.

Forwarded with compliments to the Govt Advocate for favour of advice as to the further action being taken in the matter.

29.8.33

U.O.No.P/Rev/32 dated 24/8/33

Rte Upgdate 6.9.33

Recd back from the G.A's office with an appln for moving the High Ct to pass a stay order

The Revn petition filed in the High Court was admitted today. The Govt Advocate wants to file an appln now & got a stay order passed today.

The appln sent by him may therefore be signed & returned to Chief Secy for Signature

(Genl Secy) 31/8/33

For favour of Signature to the appln.

(Chief Secy) 31/8

31/8

31/8/33

NOTE—Contn. Sheet.

WD 70—GBPM—60,000—13-8-31.

16

1072

File No. | of 193 | General and Revenue Secretariat

Returned with compliments.

G.A. No. 32/33-34
dt 5.9.33

The application in question was filed on the 31st ultimo, and interim orders have been passed thereon not to pay the amount to the applicant without taking security. Notice to the opponent has also been ordered and the case stands posted to the 9th October 1933 for hearing.

GENERAL SECRETARIAT
5 SEP 1933
No. Pro.

V. Nadarajah
Government Advocate.
5-9-1933.

H.-

Inform PPr
BNP
6/9

Dft put up for appr
ISD 6/9

Issue
BNP
6-9

The PPr. Rly
No. P. 1194 dt 8th Sept 1933 informing that interim orders have been passed not to pay the amount without taking security.

SUPPLYING SECTION
7 SEP 1933
GENL & REV SECTT.

Sinc
9/9/33

2430
P 83 5

No.591. Office of the Public Prosecutor,
Mysore Division.
Mysore, dated 2/3rd November 33.

From

The Public Prosecutor,

Mysore Division,

Mysore.

To

The General Secretary to the Government of

His Highness the Maharaja of Mysore,

Law Section, Bangalore.

GENERAL SECRETARY 6 NOV 1933

Subject: Ex: No. 1121/30-31 (A.K.Ranga Iyer Vs 1.H.S. Bhaskara Rao and 2. Chief Secretary to Govt.) on the file of the Additional Sub-Judge, Mysore.

Sir,

I have the honour to state that in the above-noted case the Court has accepted one Mr. Narana Char as Surety and ordered payment of the decretal amount deposited by Government as per terms of the stay order issued by the High Court. Both Mr. Ranga Iyer and Mr. Narana Char are solvent persons.

I have the honour to be,

S i r,

Your most obedient servant.

Public Prosecutor,

Mysore Division.

Submitted for perusal

Sec 8/4/33

Enclosure to Fwd/0.21
Report 1-10-34

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore,.....

No.

From

The General Secretary to the Government of His Highness the Maharaja of Mysore.

To Govt Advocate.

The ~~Public Prosecutor~~.

Civil Rev Petn No 164/32-33
On the file of the H.C. Ch Secy vs
A.K. Rangaiya
Your office U.O. No 32/33-34 dt 5-9-33
~~Re~~ the Subject.

Sir,

This case was posted for hearing ..... to the 9th Octr 1933. I am directed to request you to send the usual report as to the progress made in the case on the said date and the next date of hearing, if any, to which it stands adjourned.

I have the honor to be,
Sir,
Your most obedient servant,

Off. calling for progress Report is put up.
The Govt will report only after the case is disposed of
These papers may be filed
PRL 8/6

For General Secretary to Government.

Clk 8/6/34

B 8/6/34

---

disbursing officer.

4. That in the circumstances of the case it cannot be held that the disbursing officer paid the salary to the clerk in contravention of O.21, R.48.

It is therefore prayed that the Court may be

2

be pleased to dismiss the petition as against the Government and direct the Decree-holder to take further execution proceedings against the first Judgment-debtor only.

Dated 30-9-1931.
Mysore.

Public Prosecutor,
Mysore Division.

In the court of the Additional Subordinate Judge, Mysore

Ex 1121 of 30-31.

Decreeholder: A.K. Ranga Iyer

Opponents: 2) The Chief Secretary to Govt of

The decreeholder begs to state as follows in reply to the 2nd opponent's statement:-

I The above case was not posted to 30/9/31 for filing any statement and the decreeholder strongly protests against the procedure adopted by the 2nd opponent by filing a fresh statement on 30-9-31

II The statement filed on 30-9-31 is inconsistent with the statements filed by the 2nd opponent previously. The 2nd opponent is taking new and inconsistent positions in every statement

III The decreeholder is not aware of the 2nd opponents statement in paragraph 1 of his statement and the said statement is not relevent to this case

IV The contention of the 2nd opponent in ~~para~~ paragraphs 2 and 3 of his statement is untenable. The attachment warrant of the employee was served on the

4 disbursing officer on 16-5-29 and there is no provision in the Civil procedure code for issuing a fresh Warrant of attachment when the officer concerned is reported to be transfered

V In any case since according to the provisions of order 21, Rule 48, the attachment-Warrant has been served on the disbursing officer on 16-5-29 under clause 1 of the said Rule, the order of attachment binds the government according to the provisions under clause 3 of the said Rule

VI The decreeholder therefore prays that this Honble court may be pleased to disallow the objections of the 2nd opponent with the costs of the decreeholder and order further execution to proceed against the 2nd opponent

4 Copy 4

No P.755

5

1st August 1932.

General xxxx

The Public Prosecutor,

Mysore.

Subject:- Ex. 1121/30-31, on the file of the Additional Sub Court, Mysore.

(A.K. Ranga Iyer Vs. Bhaskara Rao and another)

With reference to your letter No. 68(a) dated 27th July 1932, intimating that orders have been passed in favour of the decree holder in the above case, I am directed to request that a copy of the order may kindly be obtained and sent immediately to enable Government to consider the question as to whether the decision is to be accepted or an appeal filed therefrom. In the meanwhile the Court may be moved on 17th August to grant sufficient time say for a month to enable necessary orders of Government being obtained in the matter.

I have the honor to be,
Sir,
Your most obedient servant,

for General Secretary to Government.

TRM.2

Appendix F G—1]

SUBJECT .....

.....

.....

Diary No. of letter replied to .....

General and Revenue Secretariat

( )

the 193 .

Date of issue 1/8/32

Signed by M. C. M. Rao

List of enclosures .....

Copied by .....

Examined by .....

Section

File No.

Serial No.

No. P. 755/Exn.

To

The PPr. Mysore

Subject :- Exn. 1121/30-31

on the file of the Additional Sub-Court Mysore.

(Ak. Rangayya vs Bhaskara Rao - another)

Sir,

With reference to your letter no. 68(a) dated 27.7.32 intimating that orders have been passed in favour of the decree holder in the above case I am directed to request that a copy of the judgment may kindly be obtained and sent ~~free of cost~~ immediately to enable Govt to consider the question as to whether the decision is to be accepted or an appeal filed therefrom - & in the meanwhile for Secy

The Court may be moved on 17th
August to grant sufficient time
say for a month to enable necessary
orders of Court being obtained in
the matter

I have etc

DDP Gerson

873 P 28/2

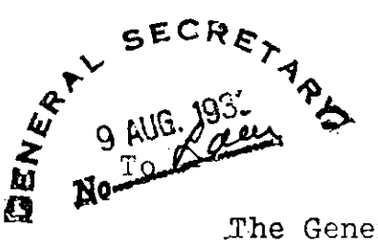
No.109/Encl.one. Mysore, dated 7th August 32.

From

The Public Prosecutor,

Mysore Division,

Mysore.



The General Secretary to the Government

of His Highness the Maharaja of Mysore,

Law Section, Bangalore.

Subject:- Ex: 1121 of 30-31 (A. K. Ranga Iyer Vs. H.S.Bhaskara Rao and Chief Secretary to Government) on the file of the Additional Subordinate Judge, Mysore.

Sir,

With reference to letter No.P.755 Law dated 1-8-1932 on the above subject, I have the honour to state that copies of Judgment and decree have been applied for and will be submitted to Government as soon as they are received.

The Court will be moved on the 17th instant for granting the extension of time for satisfying the decree. Copy of memo filed by the Decree-Holder's Pleader specifying the probable amount of the decree is enclosed.

I have the honour to be,

S i r,

Your most obedient servant.

Public Prosecutor,

Mysore Division.

In the Court of the Additional Subordinate Judge, Mysore.

Ex: No. 1121 of 1930-31.

S.C.852 of 24-25 on the file of the Subordinate Judge, Mysore.

Decree-holder: A. K. Ranga Iyer

Vs

Judgment-debtors:- 1. M. A. Ethiraja Iyengar.
2. P. S. Bhaskara Rao.
3. Chief Secretary to Government.

M E M O.

Decree amount -	principal.	90- 0- 0
	interest	26- 4- 0
	notice	0- 8- 0
		116-12- 0
Court costs.		18- 8-0
Interest from 18-12-24 to 17-8-32 at 6 % on Rs.90/-		41- 6-10
Execution costs.		17-10- 0
		194- 4-10
Less amount received by the Decree-holder in two instalments of Rs.10/- each in part satisfaction on 7-6-26 and 22-11-29, the latter amount being the amount attached from Bhaskara Rao's salary.		20- 0- 0
		174- 4-10

10

Appendix F G—1]

SUBJECT .....

.....

.....

Diary No. of letter replied to .....

General and Revenue Secretariat

( )

the *193*

Date of issue 13. 8. 32

Signed by Jm R A J Rao

List of enclosures .....

Copied by .....

Examined by .....

Section

File No.

Serial No.

No. P. 1008

To The D. S. P.

Sir,

With reference to the Correspondence ending with your letter no. C. 2761 dated 13th June 1931 re:- the non Compliance of warrant of attachment of the salary of one Bhaskar Rao, clerk D. S. P's office French Rock ~~now transfd to the A. S. P's office Mysore~~ in Ex. 1121/30-31 on the file of the Additional ~~Dist~~ Subordinate Judge Mysore. (A/c Ranga Iyer vs Bhaskar Rao Rch. see) to you) I am directed to state that it has been reported by the Public Prosecutor Mys. that orders have been passed

11

in the above Case holding ~~that~~ ~~for~~ liable for the amount claimed by the decree holder together with ~~his~~ Costs which Comes to about Rs 1757/- ~~has~~ been called for.

Copy of the order is being awaited to Consider the question of preferring an appeal against the order of the Addl Sub Judge.

Meanwhile I am to request you to be so good as to intimate for information of Govt whether the said Amount Cannot be recovered from Bhaskar Rao.

The matter may kindly be treated as urgent.

I have the

Yours faithfully
Sd/-
for Secy

Yours faithfully
Sd/-
12/8/82

1511 of 32
P 12

POLICE DEPARTMENT

Tel. Address
"ALACRIS"
PHONE No. 293

When replying please quote
No. C2 77/32

OFFICE OF THE INSPECTOR GENERAL OF POLICE
IN MYSORE

Dated Bangalore, the 7th Septr. *193* 2.

From

F. A. HAMILTON, Esq., C.I.E.,
Inspector General of Police in Mysore,
BANGALORE.

To

R.Ranga Rao,Esq., B.A., B.L.,
General Secretary to the Government of Mysore
Bangalore.

Sir,

In reply to No. P.1008/32

With reference to your letter No.P.1008/32 dated 13-8-1932 requesting to intimate whether a sum of Rs.175/- claimed by the decree-holder in Ex.Case No.1121-30-31 (A.K.Ranga [illegible] Iyer VS Bhaskara Rao and Chief Secretary to Government) could be recovered from Bhasker Rao, I have the honor to state that it is reported by the District Superintendent of Police, Mysore District that no amount is due to Bhasker Rao from the Office of the Superintendent of Police, French Rocks Circle. It is ascertained that he had a house in Weavers' Line and the same was sold about 9 months ago. He had deposited a sum of Rs.300/- as cash security in the case against him which is pending before the City Magistrate,Mysore. This amount will be available after the disposal of the case.

I have the honor to be,
Sir,
Your most obedient servant,

INSPECTOR GENERAL OF POLICE.

Submit for perusal
Copy of the Judgment under the Ex. Case is awaited.

Enter this up
The writing sheet

13

MOP 1705
Enc 1

20-9-1932.
21

The Public Prosecutor,

Mysore.

Ex: 1121 of 30-31 on the file of the Additional Sub Judge, Mysore.
(A.K. Ranga Iyer Vs. H.S. Bhasker Rao.)

With reference to your letter No.109 dated 7th August 1932 enclosing a copy of the memo specifying the probable amount of the decree in the above case, I am directed to forward herewith copy of the letter No.C.2-77/32 dated 7th September 1932 received from the Inspector General of Polic and to enquire whether the sum of Rs.300/- said to have been deposite as cash security before the City Magistrate, Mysore can be made available to pay the decree.

Copy of the order called for in this office letter No.P. 755 dated 1-8-1932 has not yet been received in spite of the subsequent reminder No.P.1432 dated 6th September 1932. The same may kindly be sent immediately.

I have the honour to be,

Sir,

Your most obedient servant,

MP

for General Secretary to Government.

TD.

14

Appendix F G—1]

SUBJECT .....

.....

.....

Section

File No.

Serial No.

Diary No. of letter replied to .....

No. P.1705

To The Public Prosecutor

Mysore.

Ex: 1121 of 30-31. On the file of

the Add[l]. Sub. Judge. Mysore

(A.K. Ranga Iyer vs H.S. Bhaskara Rao)

Sir

With reference to

your letter no. 109 dated 7th Aug

'32 enclosing a copy of the

memo specifying the probable amount

of the decree in the above Case,

I am directed to forward herewith

Copy of the letter no. C. 22/32

dated 7th Sept 1932 received from

the D. G. of Police and to enquire

whether the sum of Rs 300/- said to

have been deposited as Cash Security

General and Revenue Secretariat

( )

the 193 .

Date of issue 21/9/32

Signed by

List of enclosures .....

Copied by .....

Examined by .....

15

before the City magistrate Mysr
Can be made available to pay
the decree.

"Copy of the order called for
in this office letter no. P. 755 dated
1.8.32 has not yet been received in spite of the
receipt of the subsequent reminder
no. P. 1432 dated 6.9.32. The same may kindly
be sent immediately.

I have etc

ISD
15/9

Asst
for Gen! Secy

16/11/32
P 76

192 .

From

The Public Prosecutor,

Mysore Division,

To Mysore.

The General Secretary to the
Govt. of H.H.the Maharaja
of Mysore, Law Section.
Bangalore.

Dated 14-9-32.

Despatched 14-9-32.

Received GENERAL SECRETARY 15 SEP. 1932 Law

General No. No

No 199.

Enclosure No. G 1578

Sir,

With reference to your letter No.P.1488 dated 8-9-32, asking for a copy of the order passed in Ex: 1121 of 30-31 (A.K. Ranga Iyer Vs Bhaskara Rao and Chief Secretary) on the file of the Additional Subordinate Judge, Mysore, I have the honour to state that the copy was applied for on 28-7-1932. It is not yet prepared and furnished to this office by the copying branch. It will be submitted to Government as soon as it is delivered.

I have the honour to be,

S i r,

Your most obedient servant.

Public Prosecutor,

Mysore Division.

In pencil
ISD 24/9
Sm A. 24/9

1511

1834/P&S 32

No.222/Encl.one. Mysore, dated 24th September 1932.

Law-SS-32-1

From

The Public Prosecutor,

Mysore Division,

Mysore.

To

The General Secretary to the Government

of His Highness the Maharaja of Mysore,

Law Section, Bangalore.

GENERAL SECRETARY 26 SEP. 1932 No. Law

Subject:- Ex: No. 1121 of 1930-31 (A. K. Ranga Iyer Vs H. S. Bhaskara Rao and Chief Secretary to Government) on the file of the Additional Subordinate Judge, Mysore.

Date 26/9

Sir,

With reference to your letter No.P.1705 dated 20/21-9-32 on the above subject enquiring whether the sum of Rs.300/- deposited by Judgment-debtor Bhaskara Rao in the Court of the City Magistrate, Mysore, is available for payment of the decree, I have the honour to state that the amount (Rs.375/- and not Rs.300/-) forms part of the security tendered by Bhaskara Rao who is undergoing trial for criminal breach of trust in respect of certain funds belonging to the City Police Co-operative Society. The trial is proceeding.

Mr. A. K. Ranga Iyer has obtained an attachment on the same sum of money. The attachment has been effected subject to the claims of Government against Bhaskara Rao. Copy of the correspondence about the attachment will be taken from Court the day after to-morrow and submitted to Government. The Police Co-operative Society has in the meantime obtained a decree for Rs.800/- odd against Bhaskara Rao.

Copy of the order passed by the Additional Subordiate

18

Judge, in the above-noted case is herein enclosed. It may kindly be noted that the copy was applied for so long ago as 28-7-1932 and it was only delivered to-day. There has been no delay on the part of this office in securing the copy from the Court.

I have the honour to be,

S i r,

Your most obedient servant.

A Ramarao

Public Prosecutor,

Mysore Division.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Read:—

Correspondence ending with letter No.282 dated 24th September 1932 from the Public Prosecutor,Mysore forwarding a copy of the order passed on 27th July 1932 in Ex.1121/30-31 on the file of the Additional Sub Judge,Mysore,(A.K.Ranga Iyer Vs:- H.S.Bhasker Rao and Chief Secretary), holding Government liable for the amount claimed by the Decree holder under rule 48 of order XXI C.P.C.

2. Unofficial No.39/32-33 dated 30th September 1932 of the Government Advocate, stating that such cases ~~asked~~ are becoming common and that there seems to be no decided cases on the point and recommending that as this is a fairly arguable case, a revision -- petition may be filed so as to get a definite ruling on the point by the High Court.

Order No. P 2250-94/Law 55-32-2

Dated, Bangalore, the 21st October 1932.

Government agree with the Government Advocate and direct that steps be taken by him in time to file a revision petition -- against the order of the Additional Sub Judge,Mysore in Execution 1121/30-31 (A.K.Ranga Iyer Vs:- H.S.Bhasker Rao and Chief -- Secretary).

The Inspector General of Police is requested to see that necessary funds are placed at the disposal of the Government -- Advocate for the purpose.

By Order,

Jr General Secretary to Government.

To

The Government Advocate with a certified copy of the order.
The Public Prosecutor,Mysore.
The District Magistrate,Mysore.
The Inspector General of police in Mysore.
The Comptroller to Government.

mk.6

G.R.S. App. F VI—G 2]

SUBJECT .....

.....

.....

Diary No. of letter replied to .....

Section Law

File No. 55-32

Serial No. 2

General and Revenue Secretariat

( )

the 193 .

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue 24/8/32 193 2

Signed by H. W. R. J. Rees

Read— Correspondence ending with no. 222 dated 14th September 1932 from the Public Prosecutor Mysore forwarding a copy ~~Copies~~ of the order passed on 27/7/1932 ~~decree~~ in Ex: 1121/30-31 on the file of the Additional ~~District~~ Sub judge Mysore

Order thereon.—No. (A. K. Ranga Iyer Vs H. Bhaskara Rao & Ch. Sec.), holding first liable for ~~stating that orders have been passed in favour of the decree holder holding that first liable for~~ the amount claimed by the decreeholder under rule 48 of order XXI C.P.C

~~2. H. O. no. 30/3033 dated 30.9.32~~

2. H. O. no: 38/32-32 dated 20.9.32

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette, Kannada Part ?

From the Govt. Ad. stating that this is a fairly arguable Case and a revision petition may be filed in the H. Ct. -

order:-

~~Govt Advocate is requested to take steps in time to file a revision petition in the High Court against the order of~~ the Additional Sub-Judge Mysore in Ex: 11 21 / 30-31 (A.K. Ranga Iyer vs H.S. Bhaskara & Ch. see) the D.G.P. and the Dist. Magte Mysore are requested to send the necessary available records. The Comptroller is requested to place at the disposal of the Govt. Ad necessary funds required by him subject to adjustment in due course.

~~Sd~~ 21/10

To
1) The Govt. Ad. with a certified copy of the order
2) The Mysore
3) Dist. Magte Mys.
4) D.G.P.
5) The Comptroller

of the Govt Advocate stating that such cases are becoming common & that there seem to be no decided cases on the point - & recommending that as this is a fairly arguable case, a revision petn may be filed so as to get a definite ruling on the point by the High Court.

order: P-2250 - G.C.

Govt agree with the Govt Advocate and direct that steps be taken by him in time to file a revision petition against the order ~~dated 7 July 19~~

The Inspector General of Police is requested to see that necessary funds are placed at the disposal of the Govt Advocate for the purpose -

List of Enclosure.

BNP
21/10

Copied by

Examined by

WD 33 CRPM 20,000—10-8-31.

D.O. No. 917

2398 P 32

GOVERNMENT ADVOCATE'S CHAMBERS,
PUBLIC OFFICES,

Bangalore, 27th October 1932.

Law 55-32-3

Dear Sir,

Adverting to Government Order No.P.2290-94/ Law. 55-32-1 dated the 21st October 1932, authorising the filing of a Revision Petition to the High Court against the order of the Additional Sub-Judge, Mysore in Ex. No.1121/30-31 on his file, (A.K.Ranga Iyer VS. H.S.Bhasker Rao and the Chief Secretary to Government) I am enclosing herewith a Vakalath Form required for filing the said Revision Petition and request that the same may be kindly returned to me, duly signed by the Chief Secretary to Government in the place marked X in pencil.

Yours sincerely,

A Narayanaswamy

R. Ranga Rao, Esq., B.A., B.L.,
General Secretary to Government,
BANGALORE.

2383 P 932

Law 55-32-4

192

From

The Public Prosecutor,

Mysore Division,

To Mysore.

The General Secretary to the
Govt. of His Highness the
Maharaja of Mysore,
Law Section,
Bangalore.

Dated 25-10-32.

Despatched 25-10-32.

Received

General No.

No. 275.

Enclosure No. nil.

SECRETARY
OCT 1932
Law

Sir,

With reference to G. O. No.P.2290-94/Law 55-32 Dated 21-10-32 re: the order passed by the Additional Subordinate Judge, Mysore, in Ex:1121 of 30-31 (A.K. Ranga Iyer Vs Bhaskara Rao and Chief Secretary), copy of which has been forwarded to this office for information, I have the honour to state that the Court has peremptorily ordered that the decretal amount should be paid before the 9th proximo.

It is therefore requested that arrangements may be made either to deposit the amount in Court or to obtain an order for staying execution from the High Court and the fact communicated

to this office before the date of hearing.

I have the honour to be

S i r,

Your most obedient servant.

Public Prosecutor,

Mysore Division.

No P 2465 Jud 2
Jud 55-32-5

95

IMMEDIATE.

31st October 1932.

The

The Government Advocate,
Bangalore.

With reference to your D.O. No. 318 dated 27th October 1932 I am directed to return herewith the Vakalat duly signed by the Chief Secretary to enable you to file the ~~Revenue~~ Revision Petition in - Ex. 1121/30-31 on the file of the Additional Sub-Judge, Mysore - (A.K.Rangaiyer Vs. Bhaskara Rao.

I am to forward herewith a copy of the Mysore Public Prosecutor's letter No. 275 dated 25th October 1932 and to enquire, whether the stay order suggested by him can be obtained in this case.

I have the honour to be,
Sir,
Your most obedient servant,

For General Secretary to Government.

ISD

2TSS.

No P 2465/Ecn 2
/Ecn 55-32-5

95

IMMEDIATE.

31st October 1932.

The

The Government Advocate,
Bangalore.

With reference to your D.O. No. 318 dated 27th October 1932 I am directed to return herewith the Vakalat duly signed by the Chief Secretary to enable you to file the ~~Revenue~~ Revision Petition in - Ex. 1121/30-31 on the file of the Additional Sub-Judge, Mysore - (A.K.Rangaiyer Vs. Bhaskara Rao.

I am to forward herewith a copy of the Mysore Public Prosecutor's letter No. 275 dated 25th October 1932 and to enquire, whether the stay order suggested by him can be obtained in this case.

I have the honour to be,
Sir,
Your most obedient servant,

For General Secretary to Government.

ISD

2TSS.

Appendix F G—1]

SUBJECT .....

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Section Law

File No. 55-32

Serial No. 5

Diary No. of letter replied to .....

No P. 2465/Rev 2

To The Govt. Advocate

Sir,

General and Revenue Secretariat

( )

the 193 .

with reference to your D.O. no. 318 dated 27.10.32 I am directed to return herewith the Vakalat duly signed by the Ch. Secy to enable you to ~~vakalat empowering you to~~ file the Rev. Petn in Ex. 114/30-31 on the file of the Addl Sub. Judge Mysore (Tk Rangaiya vs Bheka Rao)

Date of issue 31/10/32

Signed by Jm N. R. J. Rao

I am to forward herewith a Copy the Mysore Pfr's letter no. 275 dated 25.10.32 ~~wherein~~ ~~requesting to obtain an order for staying the execution~~ from the H. Ct. and to enquire whether the Stay order suggested by them ~~as proposed~~ can be obtained in this case.

List of enclosures .....

Copied by WS 1/10.

Examined by .....

I have etc

BM 31/10 for Gen' Secy

WD 71—GPBM—~~1000—10-31~~ ~~Above matter may kindly be treated as urgent.~~

25 43 732

In reply please refer to
No. 335

Tel. Address:—
"JURIST," Bangalore.

OFFICE OF THE GOVERNMENT ADVOCATE
IN MYSORE,

Bangalore 4th November 1932

Law 55-32-6

GENERAL SECRETARY

From

The Government Advocate
in Mysore, Bangalore.

To

The General Secretary to the Govt.
of H. H. the Maharaja of Mysore,
Bangalore.

Sir,

With reference to your letter No. P. 2465/Law 55-32-5, dated the 31st October 1932, I have the honor to state that the Civil Revision Petition referred to therein was duly filed before the High Court on the 2nd instant. As it is not usual to grant a stay order in Revision Petitions, the amount may be deposited in Court and the Public Prosecutor may be requested to represent to the Court that the Decree-holder may be directed to furnish security if he wants to take the amount pending disposal of the Revision Petition.

I have the honor to be,
Sir,
Your most obedient servant,
Government Advocate.

H.

No P 2652 (Ex 1
Laws 55-32-7

8th November 1932.

The

The Public Prosecutor,
Mysore

Subject.- Ex. 1121/30-31 on the file of the Additional Sub-Judge, Mysore (A.K. Ranga Iyer Vs.Bhasker Rao and Chief Secretary to Government)

With reference to your letter No. 275 dated 25th Oct. 1932 requesting ~~him~~ to make arrangements to deposit the decretal amount in the above case before 9th instant, I am directed to enclose herewith a copy of the Government Advocate's letter No. 335 dated 4th Nov. 1932 and to request you to obtain an adjournment for the deposit of the decretal amount.

Meanwhile action may also be taken as suggested by the Government Advocate to move the Court by an application to require the decree holder to furnish security before he draws the amount.

I have the honor to be,
Sir,
Your most obedient servant,

for General Secretary to Government.

ISD

C.R.G.2.

Appendix F G—1]

SUBJECT .....

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Section Law

File No. 55-32

Serial No. 7

Diary No. of letter replied to .....

No P 2652/Law 1

To The Public Prosecutor

Mysore

Ex. 1121/30-31 on the file of the Additional Subjudge, Mysore. (A.K. Ranga Iyer vs Bhaskar Rao Ch. Secy.)

Sir,

With reference to your letter no. 275 dated 25.10.32 requesting to make arrangements to deposit the decretal amount in the above case before 9 inst. I am directed to enclose herewith a copy of the Govt. Advocate's letter no. 335 dated 4th Nov 1932 and to request you to obtain an adjournment for the deposit of the decretal amount.

Meanwhile action may also

General and Revenue Secretariat

( )

the *193*

Date of issue 8/11/32

Signed by M. C. S. Iyengar

List of enclosures .....

Copied by .....

Examined by .....

30

be taken as suggested by the Govt. Ad

~~to~~ move the Court by an application

to require the decree-holder to

furnish Security before he draws the

Amount

I have etc

Gen! Sec.y

15/9
8/19

G.R.S. App. F VI—G 2]

31

SUBJECT .....

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.....

Diary No. of letter replied to .....

Section Law

File No. 55.32

Serial No. 8

General and Revenue Secretariat

)

the 193 .

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue 12/4/32 193 'x'

Signed by Hy C.L Dyer

Read— Letter no. 992 dated 27th Jany 1931 from the additional Sub judge, Mysore intimating that a warant of attachment of pay of one H.S. Bhaskara Rao, clerk D.S.P's office Devi Rocks, in Execution Case no 1121/30-31 on ~~Order Sheet no. etc.~~ the file of his Court has not been given effect to, inspite of repeated reminders, and that the decree holder has accordingly applied to bring the fact on record in order to enforce the liability under order XXI rule 48 C.P.C.

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette, Kannada Part ?

2. Correspondence ending with the letter no. 275. dated 25. 10.32 from the Pr. Mysore forwarding a Copy of the order passed on 27th July in Ex: 1121/30-31 on the file of the additional Subjudge Mysore (A.K. Rangaiyar vs H.S. Blakeman & Co. Ltd. Secy) holding Govt liable for the amount claimed by the decree holder under rule 40 order XXI C.P.C. and requesting to make arrangements to deposit the decretal amount in the above Case. before the 9th Nov 1932

3. G.O. no. P. 2290-94 Law 55-32-2 dated 21st Oct 1932 directing the Govt. Advocate to file a revision petition in the High Court of Mysore against the order of the Additional Subjudge Mysore in Ex: 1121/30-31.

4. Letter no. 335 dated 4th Nov 1932 from the Govt. Advocate

List of Enclosure.

Copied by

Examined by

WD 73—GBPM—20,000—19-8-31.

G. R. S. App F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

stating that as it is not usual to grant a Stay order in Rev. Pet? the amount may be deposited in Court and the Public Prosecutor may be requested to represent to the Court that the decree holder may be directed to furnish Security if he wants to take the amount pending disposal of the Revision petition

'U' 5. Circular no. P. 6235-gr-Law 100-30, dated 31st March 1931 directing that any failure to obey the provisions of the law order XXI rule 48 etc. will make the officer Concerned personally liable to make good the loss that may be Caused to Govt. thereby.

'V' 6. Letter no. C. 2761/30 dated 13. 6. 1931 from the D. G. P. stating that the Supt of Police French Rocks reports that

W(1) 0327—GPB—10,000—18-5-27

34

that the attachment warrant in question was received in this office on 16th May 1929 and a Sum of Rs 10/- was received on 12.6.29 out of the pay of Bhaskara Rao for the month of May 1929, and sent to the Court and that the duplicate warrant was returned to the Court on 20.6.29 stating that Bhaskara Rao was transferred to Mysore City as a tester of weights & measures.

Order:- No P 2713-16.

1) In the circumstances proved out by the D.G.P. in his letter read above it is clear that even though the attachment warrant was returned to the Court Consequent to the transfer of the judgment debtor to Mysore, Still the Court has enforced the liability against Govt under rule 48 order XXI C.P.C.

2) That pending the

G. R. S. App F. G. 3.

GENERAL AND REVENUE SECRETARIAT

(Continuation sheet draft form.)

Writ of the Revision petition filed in the H.Ct. against the order of the additional Subjudge Mysore. Govt have decided to deposit the decreetal amount in Court.

3) The Public Prosecutor reports that the amount Comes to Rs 174-4-10. and that it has to be paid into Court before 9th Nov 1932.

4) Govt are pleased to direct that the said amount be paid accordingly. and ~~request~~ the ~~Dept.~~ to ~~take~~ Steps taken immediately to recover the Same from the disbursing officers Concerned according to the Govt. Circular read in para 5 above, in Case the order of the lower Court is ~~upheld~~ ~~made to stand~~ in the present Revision petition filed.

5) The Comptroller to Govt requested to place the Sum

WD 0327—G PB—10,000— 16-5-27

86 174-5-0.

of Rs. ~~[illegible]~~ at the disposal of the Public Prosecutor Mysore treating it as an advance pending recovery as directed above. The D. S. of police is requested to submit a report as to the apportionment of responsibility of the disbursing officers concerned in the matter

General Secretary

ISD 9/11

To,

The P.Pr. Mysore
Comptroller to Govt
thro' fin! Sectt
D. S. of Police
Dist. Magte Mysore
The Govt. Advocate

by 7 copies
11/11

2351/32
P 857

GPB

192 .

From

The Public Prosecutor,

Mysore Division,

To

The General Secretary
to the Government of His
Highness the Maharaja
of Mysore, Law section,
Bangalore.

Dated 23rd Nov 1932.

Despatched ——do——

Received

General No. 341.
No.

GENERAL SECRETARY'S
24 NOV. 193[illegible]
No. Law

Enclosure No. one Receipt

Sir,

With reference to your letter No: P 2652/Law 55-32-7 dated 8th November 1932 and subsequent correspondance regarding the deposit of the decretal amount in Execution 1121 of 30-31 on the file of the Additional Subordinate Judge Mysore C. A. K. Ranga Iyer Vs. Bhaskara Rao and Chick Secretar I have the honor to state that the audited bill for Rs. 174-5-0 forwarded to this office by the Comptroller was passed at the District Treasury Mysore and the proceeds deposited into Court under Receipt Chln No 5796-28 of 21. 11. 32. Receipt No 39 obtained from the Court is herewith submitted for reference

The Court fee

Submitted for perusal

TSD 26/11

26/11

Sd/

3811

be moved to stay or withholding payment to the Decree holder pending disposal of the Revision petition filed before the High Court or to order payment on security being furnished by him.

I have the honor to be

Sir

Your most obedient Servant

Public Prosecutor.

IN THE COURT OF the Asst Sub Judge, Mysore

No. 39 DISTRICT

Se 85-2 of 24-25
Suit No. Ext 1121 of 30-31 of 192 .

Received from 2nd dft the Chief Secretary to the Govt of His Highness the Maharaja of Mysore, Bangalore
thro the Public Prosecutor, Mysore Dr. the sum of Rupees one hundred and seventy four & annas zero only (174-5-0) only on account of advance amount credited in the above case by Judicial Deposit No. Ro. 596-28 dated 21.11.1932.

Sd/- Lakshmi Narayana
Cash Nazir
Asst Sub Court
Mysore

21/11/32

NAZIR

2543-

3518 of 1932

Law 55-32-8

POLICE DEPARTMENT.

Tel. Address
"POLICE"

PHONE No. 298

OFFICE OF THE
INSPECTOR-GENERAL OF POLICE IN MYSORE,

When replying please quote No. A.C.588/32

Dated Bangalore,.....30th December 1932

FROM,

F. A. HAMILTON, Esq., C.I.E.,
Inspector-General of Police in Mysore,
Bangalore.

To

H. V. Ramaswami, Esquire, M.A., B.L.,
General Secretary to the Govt. of Mysore,
BANGALORE.

GENERAL SECRETARY
3 - JAN. 1933
No. 867

SIR,

With reference to Government Order No. P.2713-16/ Law. 55-32-8, dated 11/12-11-1932, requesting me to submit a report as to the apportionment of responsibility of the Disbursing Officers in the matter of non-execution of the warrant of attachment of pay of Clerk Bhasker Rao, I have the honor to state that it is reported by the District Superintendent of Police, French-Rocks Circle, that the warrant in question was received in his office on 18-5-1929 and the original, after service on the the District Superintendent of Police Mr. J. F. Anderson, was returned to the Court on 12-6-1929. A sum of Rs 10/- being the first instalment towards the payment of the decretal amount was recovered on 12-6-1929 from the pay of the said clerk for the month of May 1929 and sent to the Court the next day by Money Order. The clerk was thereafter transferred to Mysore City as Testor of Weights and Measures as per orders of the Deputy Commissioner, and he was relieved of his duties at French-Rocks on 13-6-1929. The original warrant which had been kept in the office was also returned to the Court concerned on 20-6-1929 stating that the clerk was transferred to Mysore City as Testor of Weights and Measures. This relieved the District Superintendent of Police of the technical responsibility attached to the warrant.

Under the circumstances, there does not seem to be any failure on the part of the Disbursing Officer to promptly keep the Court informed of the clerk's transfer and the Court

41

Hrt after receipt of the original warrant ought to have add-
ssed the President, Mysore City Municipality for the recoveries
rwarding the necessary warrant to him for execution.

I have the honor to be,
sir,
your most obedient servant,

INSPECTOR GENERAL OF POLICE.

42

No.P.5199

28th March 1933.

79

The

The Inspector General of Police in Mysore,

Bangalore.

With reference to the correspondence ending with your letter No.A.C.588/32 dated 22nd March 1933 re: the apportionment of responsibility of the disbursing officers in the matter of non-compliance of warrant of attachment of pay of Bhaskar Rao, Clerk, Office of the District Superintendent of Police, French Rocks, I am directed to state that as the question of the Government's liability in the matter is now before the High Court in the Civil Revision petition filed against the order of the - Additional Sub Judge of Mysore in Ex.1121 of 3031, the question of apportionment of responsibility will have to be decided only after the disposal of the case in the High Court.

I have the honour to be,

Sir,

Your most obedient servant,

For General Secretary to Government.

BNL

Appendix F G—1]

SUBJECT .....

.....

.....

Section

File No.

Serial No.

Diary No. of letter replied to .....

No. P 5199

To The D. S. P.

Sir,

General and Revenue Secretariat

( )

the 193 .

With reference to the correspondence ending with your letter no. Ac. 500/32 dated 11.3.33 re the apportionment of responsibility of the disbursing officers in the matter of non compliance of warrant of attachment of pay of Bhaskar Rao, clerk officer of the D. S. P. French Rocks, I am directed to state that as the question of the Government's liability in the matter is now before the High Court in the Civil Revn petition filed against the order of the Addl Sub Judge of Mysore in Ex 114 of 30.31, the question of apportionment of responsibility will have to be decided after the disposal of the case in the High Court.

Date of issue 29/3/33

Signed by Jas N R J Rao

List of enclosures.....

Copied by.....

Examined by.....

WD 0253—GPB—15,000—26-8-32

I have en

DSP.

copy 25/3 for perusal

Law 55-32-10 107264 p 833

GPB

192

From

The Public Prosecutor,

Mysore Division,

To Mysore.

The General Secretary to the
Govt. of H.H.the Maharaja
of Mysore, Law Section,
Bangalore.

Dated 25-8-33.

Despatched 25-8-33.

Received

General No. 892.

GENERAL SECTION 28 AUG 1933

Enclosure No. two.

No

Sir,

With reference to G.Or No.P.2713-16 Law 55-32-8 dated 11/12th November 1932 sanctioning the deposit of Rs.174-5-0 for payment to the Decree-holder in Ex:1121 of 30-31 (A.K.Ranga Iyer Vs Bhaskara Rao and Chief Secretary) on the file of the Additional Subordinate Judge, Mysore I have the honour to state that the deposit made on 21st November 1932 has been duly reported to Government in my letter No.341 dated 23-11-1932.

Judgment-debtor Bhaskara Rao has since been convicted to suffer R.I. for 6 months and to pay a fine of Rs.300/-. The conviction has been confirmed by the Court of Appeal. The Decree-holder has

has filed an application to Court for payment of the money deposited by Government. Copies of notice and of the application are herein submitted.

The Government Advocate may be requested to obtain a stay order prohibiting payment of the amount to the Decree-holder till the disposal of the Revision Petition. There seems to be no provision of law to insist upon securing being given before the decretal amount is paid to the decree-holder.

I have the honour to be,

S i r,

Your most obedient servant.

Public Prosecutor,

Mysore Division.

ಸಬಬು ತೋರಿಸುವುದನ್ನು
ಕುರಿತು ನೋಟೀಸು
(ಸಾಮಾನ್ಯ ನಮೂನೆ)

(ನಮೂನೆ ನಂಬರು 71, ಸಿವಿಲ್)

ಸೆಕ್ಷನ್ 19 —19. ನೇ ನಂಬರು

ಎದುರು ಅರ್ಜೀದಾರ

ಗೆ

ಮೇಲೆ ಹೇಳಿದ ಕಾರಣವು ನಿಮ್ಮ ಮೇಲೆ ಜಾರಿ ಮಾಡಿ ಎಂಬುದಾಗಿ ಈ ಕೋರ್ಟಿಗೆ ಅರ್ಜಿ ಕೊಟ್ಟಿರುವುದರಿಂದ, ಹಾಗೆ ಅರ್ಜಿ ಕೊಡಕೂಡದೆಂಬುದಕ್ಕೆ ಸಬಬು ತೋರಿಸುವ ಬಗ್ಗೆ 1937 ನೆಯ ಇಸವಿ ತಿಂಗಳಿಂದ ನೆಯ ತಾರೀಖಿನ ಪೂರ್ವಾಹ್ನ ಗಂಟೆಗೆ ನೀವಾಗಲೀ, ವಿದ್ಯಮಾನಗಳನ್ನು ಕ್ರಮವಾಗಿ ನಿಮ್ಮಿಂದ ತಿಳಿದುಕೊಂಡಿರುವ ಒಬ್ಬ ವಕೀಲರಾಗಲೀ ಈ ಕೋರ್ಟು ಮುಂದೆ ಹಾಜರಾಗಬೇಕೆಂತಲೂ, ಹಾಜರಾಗಲು ತಪ್ಪಿದಲ್ಲಿ ಸದರೀ ಅರ್ಜಿಯು ವಿಕಾರಹಕ್ಷ ವಿಚಾರಣೆಯಿಂದ ತೀರ್ಮಾನಿಸಲ್ಪಡುವುದೆಂತಲೂ ನಿಮಗೆ ಈ ಮೂಲಕ ಎಚ್ಚರಿಕೆ ಕೊಟ್ಟಿರುತ್ತೆ.

1937 ನೆಯ ಇಸವಿ ತಿಂಗಳ 16 ನೆಯ ತಾರೀಖಿನಲ್ಲಿ ನಮ್ಮ ಪಸ್ತು ಖುತ್ತು ಮುತ್ತು ಕೋರ್ಟು ಮೊಹರ್ನಿಶಿ ಕೊಟ್ಟಿದೆ.

WD 01188—GPB—40,000—12-2-32

on the court of the Additional Subordinate Judge
Mysore 6/4/33

Eg 1121 of 30-31

decreeholder: A.h. Ranga Setter.

vs

1. APR 1933

Judgment-debtor Baskara Rao & another

Mg. 31-5-33

The decreeholder begs to state as follows:-

I The decretal amount has been deposited in full by the government in the above case as per orders of the court

II The case is being posted for awaiting the records from the High court which has been pleased to call for the records in connection with a revision petition filed there by the govt

III So far no stay-order has been received from the High court and the decreeholder believes that the amount has been deposited by the govt without any protest

IV The decreeholder therefore prays that the decretal amount in deposit in the court may be ordered to be paid to the decreeholder. Copy

No P 1194

48

From

The General Secy to Govt.

xxxxxxxxxxxxxxxxxx

To

The Public Prosecutor,
Mysore.

Bangalore 7th September xxx1933.

8

Sir,

Fx: 1121/30-31 on the file of the Additional Sub Judge, Mysore (A.K.Ranga Iyer vs Chief Secretary).

- - - - - - -

With reference to your letter No.302 dated 28th August 1933 requesting to obtain a stay order prohibiting payment of the amount to the decree holder in the above case, I am directed to state that the Government Advocate intimates that an application was filed on the 31st ultimo and interim orders have been passed thereon not to pay the amount to the applicant without taking security. It is also learnt that the revision petition in the High Court stands posted to the 9th October 1933 for hearing and notice to the appn opponent has also been ordered.

I have the honor to be,
Sir,
Your most obedient servant,

DM

for General Secretary to Government.

ISD

S.R.-2

Appendix F G—1]

SUBJECT .....

.....

.....

Section Law

File No. 5532

Serial No. 11

Diary No. of letter replied to .....

No. P 1194/—

To

The Pr. Rys.

General and Revenue Secretariat

( )

the *193*

Ex: 114/3031 on the file of the Addl Sub. Judge, Mysore (A.K. Rangaiya vs Chidee)

Date of issue 8/9/33

Sir,

Signed by

With reference to your letter no. 301 dated 25.8. ~~re: an~~ ~~abated~~ case requesting to obtain a stay order prohibiting payment of the amount to the decree holder in the above case, I am directed to state that the Govt. do not intimate that an application ~~was in question~~ was filed on the 31st ultimo and interim orders have been

List of enclosures.....

Copied by.....

Examined by.....

[redacted] reason not to pass the
[redacted] amount to the applicant without
[redacted] any security. It is also
[redacted] not that the Revision petition
in the Hon. stands posted
to the 9th Oct 1933 for hearing
and notice to the opponent
as also been issued.

I have exc

MM
6/9 for Secy

6/9